

son, Eastland, Wharton, Taylor and Brazos counties to pay out of the general fund of such counties, bounties for the destruction of predatory animals, providing that on petition of two hundred freeholders, the commissioners court of such county may provide amount of bounty and method of proof to entitle claimant to obtain such bounty and prescribing manner of payment, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, February 23, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 653, "An Act to amend Chapter 25 of the General Laws of the State of Texas as passed by the Regular Session of the Thirty-ninth Legislature, as amended by Chapter 107 of the General Laws of the State of Texas, passed by the First Called Session of the Fortieth Legislature in so far as such chapters apply to counties having a population of not less than 10,000, nor more than 10,050; providing a legal method of abolishing water control and improvement districts created under such acts in counties having a population as above stated, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 248, "An Act to amend Article 879h, Chapter 215 of the General and Special Laws of the State of Texas, passed by the Fortieth Legislature, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 195, "An Act providing that

all sales of real estate for the collection of delinquent taxes due thereon shall be made only after foreclosure of tax lien securing same in accordance with existing laws governing delinquent tax foreclosure suits; repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 5, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 354, "An Act making certain emergency appropriations out of the general revenue of the State for the several institutions and departments of the State Government, as named herein, for the balance of the fiscal year ending August 31, 1929, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

THIRTY-THIRD DAY

(Continued.)

(Wednesday, February 27, 1929.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Barron.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Purl, Senate bill No. 505 was ordered not printed.

On motion of Mr. Woodall, Senate bill No. 318 was ordered not printed.

PROPOSED AMENDMENT TO THE HOUSE RULES.

Mr. Wallace offered the following proposed amendment to the House Rules:

Amend Section 1 to Rule XXVIII by amending to read as follows:

Of Admission to the House.

1. Persons hereafter named, and none other, shall be admitted to the Hall of the House when the House is in session, viz.: The members and employes of the House; Senators and employes of the Senate; the Governor and

his private secretary; the Lieutenant Governor; the President and Vice-President of the United States; United States Senators and members of Congress; Governors of other States; judges of the Supreme Court and Courts of Criminal and Civil Appeals; the heads of all State departments, and contestants in election cases, pending their contest in the House; and the immediate families of the members of the Legislature.

The amendment was referred by the Speaker to the Committee on Rules.

HOUSE BILL NO. 253 ON SECOND READING.

An motion of Mr. Anderson, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 253, A bill to be entitled "An Act to empower the State Text Book Commission to adopt a multiple list of text books in German for use in high schools and also other high school texts on such other subjects for use in junior high schools as may be determined by a seven-ninths vote of said Commission, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Sherrill offered the following amendment to the bill:

Amend House bill No. 253, page 1, line 16, by adding: "and also there shall be added to the free list of text books, commercial arithmetic and book-keeping in the English language," and amend the caption to conform thereto.

The amendment was adopted.

House bill No. 253 was then passed to engrossment.

HOUSE BILL NO. 253 ON THIRD READING.

Mr. Anderson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 253 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96.

Mr. Speaker.	Baker.
Acker.	Barnett.
Ackerman.	Bateman.
Albritton.	Bounds.
Anderson.	Bradley.

Brooks.	Metcalf.
Carpenter.	Montgomery.
Chastain.	Moore.
Coltrin.	Morse.
Conway.	Mullally.
Cox of Navarro.	Murphy.
DeWolfe.	Negley.
Duvall.	Olsen.
Enderby.	O'Neill.
Finn.	Palmer.
Finlay.	Patterson.
Forbes.	Pavlica.
Fuchs.	Pool.
Gerron.	Prendergast.
Gilbert.	Ray.
Giles.	Reader.
Graves of Erath.	Renfro.
Hardy.	Richardson.
Harman.	Rogers.
Harper.	Rountree.
Hefley.	Sanders.
Holder.	Savage.
Hornaday.	Shaver.
Hubbard.	Shelton.
Johnson	Sherrill.
of Dimmit.	Shipman.
Johnson of Smith.	Simmons.
Johnson of Scurry.	Sinks.
Justiss.	Storey.
Kayton.	Strong.
Keeton.	Tarwater.
Keller.	Tillotson.
Kennedy.	Van Zandt.
Kinnear.	Waddell.
Land.	Wallace.
Lee.	Warwick.
Long of Houston.	Westbrook.
Long of Wichita.	White.
Mankin.	Williams
Mauritz.	of Sabine.
Maynard.	Woodall.
McCombs.	Woodruff.
McKean.	Young.
Mehl.	

Nays—10.

Brice.	Pope of Jones.
Cox of Limestone.	Reid.
Jenkins.	Stephens.
McGill.	Veatch.
Mosely.	Wiggs.

Present—Not Voting.

Harrison.	Kincaid.
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Absent.

Adkins.	Harding.
Baldwin.	Heaton.
Beck.	Hines.
Bond.	Hogg.
Cox of Lamar.	Hopkins.
Davis.	Jones.
Dunlap.	Kemble.
Ewing.	Kenyon.
Eickenroht.	King.
Gates.	Lemens.

Loy.	Smith.
Martin.	Snelgrove.
McDonald.	Speck.
Minor.	Thompson.
Nicholson.	Thurmond.
Pope of Nueces.	Turner.
Purl.	Williams
Quinn.	of Travis.

Absent—Excused.

Avis.	Walters.
Graves	Webb.
of Williamson.	Williams
Petsch.	of Hardin.
Stevenson.	

The Speaker then laid House bill No. 253 before the House on its third reading and final passage.

The bill was read third time and was passed.

NOTICE GIVEN.

Mr. Sinks gave notice that he would, on Friday, call up for consideration at that time, House bill No. 564, which bill had heretofore been laid on the table subject to call.

HOUSE BILL NO. 309 ON SECOND READING.

On motion of Mr. Justiss, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 309, A bill to be entitled "An Act prescribing that physical education courses approved by the State Department of Education shall be taught in the public schools of Texas; and authorizing the State Superintendent of Public Instruction to provide for the direction and supervision of physical education instruction in the public schools."

The Speaker laid the bill before the House and it was read second time.

Mr. Justiss offered the following amendment to the bill:

Amend House bill No. 309 by cutting out those lines in Section 2, saying: "and shall employ a State Director of Physical Education who shall, under the direction of the State Superintendent, supervise and direct the carrying out of the purposes of this act," and amend the caption to conform thereto.

The amendment was adopted.

Mr. Kayton offered the following amendment to the bill:

Amend House bill No. 309, Section 1, line 18, by adding after the figures

"1930" the following: "provided, however, that any child who lives over one mile from his school shall be exempt from this course."

The amendment was lost.

Mr. Sanders offered the following amendment to the bill:

Amend House bill No. 309 by striking out the word "shall" in line 15 and inserting the word "may."

Signed—Sanders, Wallace.

Mr. Cox of Navarro moved to table the amendment.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—62.

Mr. Speaker.	Land.
Adkins.	Long of Houston.
Anderson.	Long of Wichita.
Bounds.	Loy.
Bradley.	Martin.
Brooks.	Maynard.
Carpenter.	Mehl.
Conway.	Metcalfe.
Cox of Navarro.	Montgomery.
Cox of Limestone.	Moore.
Davis.	Mosely.
DeWolfe.	Mullally.
Eickenroht.	Palmer.
Forbes.	Quinn.
Graves	Ray.
of Williamson.	Reader.
Graves of Erath.	Renfro.
Hardy.	Shaver.
Harman.	Shelton.
Harper.	Sherrill.
Harrison.	Smith.
Heaton.	Snelgrove.
Holder.	Speck.
Hornaday.	Stephens.
Johnson of Scurry.	Tarwater.
Justiss.	Thurmond.
Keeton.	Turner.
Keller.	Van Zandt.
Kennedy.	Waddell.
Kincaid.	Woodall.
King.	Young.

Nays—45.

Acker.	Gilbert.
Ackerman.	Hefley.
Albritton.	Hogg.
Barnett.	Hubbard.
Brice.	Jenkins.
Chastain.	Jones.
Coltrin.	Kayton.
Cox of Lamar.	Lee.
Dunlap.	McCombs.
Enderby.	McGill.
Ewing.	McKean.
Finlay.	Morse.
Gerron.	Negley.

Nicholson.	Simmons.
O'Neill.	Sinks.
Pavlica.	Storey.
Pope of Nueces.	Strong.
Purl.	Tillotson.
Richardson.	Veatch.
Rogers.	Warwick.
Sanders.	Wiggs.
Savage.	Williams
Shipman.	of Sabine.

Present—Not Voting.

Mauritz.

Absent.

Baker.	Lemens.
Baldwin.	Mankin.
Bateman.	McDonald.
Beck.	Minor.
Duvall.	Olsen.
Finn.	Patterson.
Fuchs.	Pool.
Gates.	Pope of Jones.
Giles.	Prendergast.
Harding.	Reid.
Hines.	Rountree.
Hopkins.	Thompson.
Johnson	Westbrook.
of Dimmit.	White.
Johnson of Smith.	Williams
Kemble.	of Travis.
Kenyon.	Woodruff.
Kinnear.	

Absent—Excused.

Avis.	Wallace.
Bond.	Walters.
Murphy.	Webb.
Petsch.	Williams
Stevenson.	of Hardin.

Paired.

Mr. Johnson of Scurry (present), who would vote "yea," with Mr. Lemens (absent), who would vote "nay."

House bill No. 309 was then passed to engrossment by the following vote:

Yeas—75.

Mr. Speaker.	Dunlap.
Adkins.	Ewing.
Albritton.	Eickenroht.
Anderson.	Forbes.
Baker.	Gates.
Baldwin.	Gerron.
Bounds.	Gilbert.
Bradley.	Graves
Brooks.	of Williamson.
Carpenter.	Graves of Erath.
Conway.	Hardy.
Cox of Navarro.	Harding.
Cox of Lamar.	Harman.
Cox of Limestone.	Harper.
Davis.	Heaton.
DeWolfe.	Holder.

Hornaday.	Palmer.
Jenkins.	Patterson.
Johnson of Scurry.	Prendergast.
Justiss.	Quinn.
Kayton.	Ray.
Keeton.	Reader.
Keller.	Renfro.
Kennedy.	Richardson.
Kincaid.	Rogers.
King.	Savage.
Land.	Shaver.
Long of Houston.	Shelton.
Long of Wichita.	Sherrill.
Loy.	Smith.
Martin.	Snelgrove.
Maynard.	Speck.
McGill.	Strong.
Mehl.	Thurmond.
Metcalfe.	Turner.
Montgomery.	Waddell.
Moore.	Warwick.
Mosely.	Woodall.
Mullally.	Young.

Nays—35.

Acker.	Nicholson.
Ackerman.	O'Neill.
Barnett.	Pavlica.
Brice.	Pope of Nueces.
Chastain.	Purl.
Coltrin.	Sanders.
Enderby.	Shipman.
Finlay.	Simmons.
Harrison.	Sinks.
Hefley.	Stephens.
Hogg.	Storey.
Hubbard.	Tarwater.
Jones.	Tillotson.
Lee.	Veatch.
McCombs.	Wiggs.
McKean.	Williams
Morse.	of Sabine.
Negley.	

Absent.

Bateman.	Mauritz.
Beck.	McDonald.
Duvall.	Minor.
Finn.	Olsen.
Fuchs.	Pool.
Giles.	Pope of Jones.
Hines.	Reid.
Hopkins.	Rountree.
Johnson	Stevenson.
of Dimmit.	Thompson.
Johnson of Smith.	Van Zandt.
Kemble.	Westbrook.
Kenyon.	White.
Kinnear.	Williams
Lemens.	of Travis.
Mankin.	Woodruff.

Absent—Excused.

Avis.

Bond.

Murphy.
Petsch.
Wallace.
Walters.

Webb.
Williams
of Hardin.

Mr. Hardy moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 253 ON FINAL PASSAGE.

Mr. Anderson moved to reconsider the vote by which House bill No. 253 was finally passed.

The motion to reconsider prevailed.

House bill No. 253 was then finally passed by the following vote:

Yeas—100.

Mr. Speaker.	Jones.
Adkins.	Justiss.
Albritton.	Kayton.
Anderson.	Keeton.
Baldwin.	Keller.
Barnett.	Kennedy.
Bounds.	Kincaid.
Brooks.	Kinnear.
Carpenter	Land.
Chastain.	Lee.
Coltrin.	Long of Houston.
Conway.	Long of Wichita.
Cox of Navarro.	Martin.
Cox of Lamar.	Mauritz.
Cox of Limestone.	McCombs.
Davis.	McGill.
DeWolfe.	McKean.
Dunlap.	Mehl.
Enderby.	Metcalfe.
Ewing.	Montgomery.
Eickenroht.	Moore.
Finn.	Morse.
Finlay.	Mullally.
Forbes.	Negley.
Gates.	O'Neill.
Gerron.	Palmer.
Gilbert.	Pavlica.
Graves	Pool.
of Williamson.	Pope of Jones.
Graves of Erath.	Prendergast.
Harding.	Purl.
Harman.	Quinn.
Harper.	Ray.
Harrison.	Reader.
Heaton.	Renfro.
Hefley.	Richardson.
Hogg.	Rogers.
Holder.	Sanders.
Hornaday.	Savage.
Hubbard.	Shaver.
Johnson of Smith.	Shelton.
Johnson of Scurry.	Sherrill.

Shipman.
Simmons.
Sinks.
Smith.
Snelgrove.
Speck.
Storey.
Strong.
Tarwater.
Thurmond.

Tillotson.
Turner.
Veatch.
Waddell.
Warwick.
Williams
of Sabine.
Woodall.
Young.

Nays—9.

Acker.
Brice.
Hardy.
Jenkins.
King.

Mosely.
Nicholson.
Stephens.
Wiggs.

Absent.

Ackerman.
Baker.
Bateman.
Beck.
Bradley.
Duvall.
Fuchs.
Giles.
Hines.
Hopkins.
Johnson
of Dimmit.
Kemble.
Kenyon.
Lemens.
Loy.

Mankin.
Maynard.
McDonald.
Murphy.
Olsen.
Patterson.
Pope of Nueces.
Reid.
Rountree.
Thompson.
Van Zandt.
Westbrook.
White.
Williams
of Travis.
Woodruff.

Absent—Excused.

Avis.
Bond.
Minor.
Petsch.
Stevenson.

Wallace.
Walters.
Webb.
Williams
of Hardin.

(Mr. Shipman in the chair.)

HOUSE BILL NO. 291 ON SECOND READING.

On motion of Mr. McGill, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 291, A bill to be entitled "An Act providing that when any lien or liens other than by written contract of the owners of property are fixed, secured or claimed by instrument filed of record under Chapter 2, Title 90, Revised Civil Statutes of 1925, the property owner or contractor may file bond, providing the amount and terms of such bond and for notice, prescribing period of limitation on causes of action to enforce lien or liens covered by such land and on causes of action on such land,

providing incidental matters, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Hardy offered the following amendment to the bill:

Amend House bill No. 291 by adding Section 4a: "In case the lienholder shall recover in a suit upon his lien or in a suit upon the bond he shall be entitled to recover in addition to his debt a reasonable attorney's fees."

The amendment was adopted.

House bill No. 291 was then passed to engrossment.

(Speaker in the chair.)

HOUSE BILL NO. 291 ON THIRD READING.

Mr. McGill moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 291 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Acker.	Hornaday.
Ackerman.	Hubbard.
Adkins.	Jenkins.
Albritton.	Johnson
Beck.	of Dimmit.
Bounds.	Johnson of Smith.
Brooks.	Johnson of Scurry.
Carpenter.	Jones.
Chastain.	Justiss.
Coltrin.	Keeton.
Conway.	Keller.
Cox of Navarro.	Kennedy.
Cox of Lamar.	Kincaid.
Cox of Limestone.	King.
Davis.	Kinnear.
DeWolfe.	Land.
Enderby.	Long of Houston.
Ewing.	Long of Wichita.
Eickenroht.	Mankin.
Finn.	Martin.
Finlay.	Mauritz.
Forbes.	Maynard.
Gates.	McCombs.
Gerron.	McGill.
Graves	Mehl.
of Williamson.	Metcalf.
Graves of Erath.	Montgomery.
Hardy.	Moore.
Harding.	Mosely.
Harper.	Mullally.
Harrison.	Negley.
Heaton.	Nicholson.
Hefley.	O'Neill.
Hogg.	Palmer.
Holder.	Pavlica.

Pope of Nueces.	Stephens.
Purl.	Storey.
Quinn.	Strong.
Ray.	Tarwater.
Reader.	Thurmond.
Reid.	Turner.
Renfro.	Veatch.
Richardson.	Waddell.
Sanders.	Wallace.
Savage.	Warwick.
Shaver.	Williams
Shelton.	of Sabine.
Sherrill.	Williams
Shipman.	of Travis.
Simmons.	Woodall.
Sinks.	Young.
Snelgrove.	

Nays—3.

Barnett.	Wiggs.
McKean.	

Present—Not Voting.

Brice.

Absent.

Anderson.	McDonald.
Baker.	Morse.
Baldwin.	Murphy.
Bateman.	Olsen.
Bradley.	Patterson.
Dunlap.	Pool.
Duvall.	Pope of Jones.
Fuchs.	Prendergast.
Gilbert.	Rogers.
Giles.	Rountree.
Harman.	Smith.
Hines.	Speck.
Hopkins.	Thompson.
Kayton.	Tillotson.
Kemble.	Van Zandt.
Kenyon.	Westbrook.
Lee.	White.
Lemens.	Woodruff.
Loy.	

Absent—Excused.

Avis.	Walters.
Bond.	Webb.
Minor.	Williams
Petsch.	of Hardin.
Stevenson.	

The Speaker then laid House bill No. 291 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Barnett.
Acker.	Beck.
Ackerman.	Bounds.
Adkins.	Brooks.
Albritton.	Carpenter.

Chastain.	McGill.
Coltrin.	Mehl.
Conway.	Metcalfe.
Cox of Navarro.	Montgomery.
Cox of Lamar.	Moore.
Cox of Limestone.	Mosely.
Davis.	Mullally.
DeWolfe.	Negley.
Enderby.	Nicholson.
Ewing.	O'Neill.
Eickenroht.	Palmer.
Finn.	Pavlica.
Finlay.	Pope of Nueces.
Forbes.	Purl.
Gerron.	Quinn.
Graves	Ray.
of Williamson.	Reader.
Graves of Erath.	Reid.
Hardy.	Renfro.
Harding.	Richardson.
Harman.	Sanders.
Harper.	Savage.
Harrison.	Shaver.
Heaton.	Shelton.
Hefley.	Sherrill.
Hogg.	Shipman.
Holder.	Simmons.
Hornaday.	Sinks.
Hubbard.	Snelgrove.
Johnson	Speck.
of Dimmit.	Stephens.
Johnson of Smith.	Storey.
Johnson of Scurry.	Strong.
Jones.	Tarwater.
Justiss.	Thurmond.
Kayton.	Turner.
Keeton.	Veatch.
Keller.	Waddell.
Kennedy.	Wallace.
Kenyon.	Warwick.
Kincaid.	Williams
Kinnear.	of Sabine.
Land.	Williams
Long of Wichita.	of Travis.
Mankin.	Woodall.
Martin.	Woodruff.
Mauritz.	Young.

Nays—3.

Long of Houston. McKean.
McCombs.

Present—Not Voting.

Brice. Wiggs.

Absent.

Anderson.	Gilbert.
Baker.	Giles.
Baldwin.	Hines.
Bateman.	Hopkins.
Bond.	Jenkins.
Bradley.	Kemble.
Dunlap.	King.
Duvall.	Lee.
Fuchs.	Lemens.
Gates.	Loy.

Maynard.	Rogers.
McDonald.	Rountree.
Morse.	Smith.
Murphy.	Thompson.
Olsen.	Tillotson.
Patterson.	Van Zandt.
Pool.	Westbrook.
Pope of Jones.	White.
Prendergast.	

Absent—Excused.

Avis.	Walters.
Minor.	Webb.
Petsch.	Williams
Stevenson.	of Hardin.

HOUSE BILL NO. 718 ON THIRD READING.

On motion of Mr. Coltrin, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 718, A bill to be entitled "An Act providing for the establishment of a prison reformatory in connection with the State prison system for young, short-term prisoners."

The Speaker laid the bill before the House, it was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Hefley.
Acker.	Hogg.
Ackerman.	Holder.
Albritton.	Hornaday.
Anderson.	Hubbard.
Barnett.	Jenkins.
Beck.	Johnson
Bounds.	of Dimmit.
Brice.	Johnson of Smith.
Brooks.	Johnson of Scurry.
Carpenter.	Jones.
Chastain.	Justiss.
Coltrin.	Keeton.
Conway.	Keller.
Cox of Lamar.	Kennedy.
DeWolfe.	Kenyon.
Dunlap.	Kincaid.
Duvall.	King.
Enderby.	Kinnear.
Ewing.	Land.
Eickenroht.	Long of Houston.
Finn.	Long of Wichita.
Finlay.	Loy.
Forbes.	Mankin.
Gates.	Martin.
Gerron.	Mauritz.
Gilbert.	McCombs.
Graves of Erath.	McGill.
Harding.	McKean.
Harper.	Mehl.
Harrison.	Metcalfe.
Heaton.	Montgomery.

Moore.	Sinks.
Mosely.	Snelgrove.
Mullally.	Speck.
Negley.	Stephens.
O'Neill.	Storey.
Palmer.	Strong.
Patterson.	Tarwater.
Pavlica.	Thurmond.
Purl.	Turner.
Quinn.	Veatch.
Ray.	Waddell.
Reader.	Wallace.
Reid.	Warwick.
Renfro.	Wiggs.
Richardson.	Williams
Rogers.	of Sabine.
Sanders.	Williams
Savage.	of Travis.
Shaver.	Woodall.
Shelton.	Woodruff.
Shipman.	Young.
Simmons.	

Present—Not Voting.

Hardy.

Absent.

Adkins.	McDonald.
Baker.	Minor.
Baldwin.	Morse.
Bateman.	Nicholson.
Bradley.	Olsen.
Cox of Navarro.	Pool.
Cox of Limestone.	Pope of Jones.
Davis.	Pope of Nueces.
Fuchs.	Prendergast.
Giles.	Rountree.
Harman.	Sherrill.
Hines.	Smith.
Hopkins.	Thompson.
Kayton.	Tillotson.
Kemble.	Van Zandt.
Lee.	Westbrook.
Lemens.	White.
Maynard.	

Absent—Excused.

Avis.	Stevenson.
Bond.	Walters.
Graves	Webb.
of Williamson.	Williams
Murphy.	of Hardin.
Petsch.	

COMMITTEE ANNOUNCED IN COMPLIANCE WITH SENATE CONCURRENT RESOLUTION NO. 15.

The Speaker announced the following additional members in compliance with Senate concurrent resolution No. 15: Messrs. Mankin, Pool, King and Wallace.

COMMITTEE ANNOUNCED IN COMPLIANCE WITH SENATE CONCURRENT RESOLUTION NO. 29.

The Speaker announced the following committee in compliance with Senate concurrent resolution No. 29: Messrs. McCombs, Fuchs and Hopkins.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 27, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 220, A bill to be entitled "An Act providing for the regulation of local mutual aid associations paying a death benefit operating an insurance business and paying benefits, where funds are provided by assessments on members. Defining the laws and manners under which such associations may operate. Prescribing, providing for and requiring among other things: the territorial limits of such associations and prohibiting the connection of any two associations of the same character; the number of persons who may organize such associations, and the requirements of the articles of association in the formation of such associations; a bond as a prerequisite of the organization of such associations and the amount and conditions of said bond; approval of constitution and by-laws under which such association will operate; the investigation of the organizers of said associations by the Board of Insurance Commissioners after organization; the issuance of certificate of authority to do business in the State by the Board of Insurance Commissioners of Texas; the manner and condition of recovering on said bond and the amount of recovery thereon, and the venue of such action to be in Travis county, Texas, the jurisdiction of the court in which such action may be filed, the by-laws of such associations and the membership of such associations, and for the grouping of the members into groups or classes and prohibiting such associations from issuing certificates with level premium rates or guaranteed cost or certificates having surrender or loan value features, Defining and prescribing who may be beneficiaries. Providing for an annual

report to the Commissioner of Insurance and the renewal of certificate of authority. Providing for the examination of such associations by the Board of Insurance Commissioners of the State of Texas and providing for suits to wind up and liquidate the affairs of such associations and the venue thereof. Defining and granting to such associations corporate existence, providing for the manner of service of process of such associations, the method of dissolution and forfeiture and providing for a penalty for the violation of the provisions of this act. Providing for the exemption of certain associations and societies from the provisions of this act, and providing fees, the time of collection and the amount thereof, repealing Articles 4859, 4859a, 4859b, 4859c and 4859d of the Revised Civil Statutes of Texas for 1925 and all laws and parts of laws in conflict herewith, and declaring an emergency," with engrossed rider.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 436 ON THIRD READING

On motion of Mr. Hefley, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 436, A bill to be entitled "An Act amending Article 287 of the Penal Code of the State of Texas of 1925 as amended by Chapter 139 of the General Laws of the Regular Session of the Thirty-ninth Legislature so as to repeal that portion of the State law prohibiting the operation of moving picture shows and theatres on Sunday in this State."

The Speaker laid the bill before the House and it was read the third time.

Mr. Loy offered the following amendment to the bill:

Amend House bill No. 436, by adding a section thereto to be numbered as Section 2 to read as follows: "Provided the commissioners or city council of the towns or cities in which such moving picture shows or theatres are located shall have the power by proper ordinance to prohibit the keeping open or showing of such moving picture shows or theatres on Sunday." And number the emergency clause Section 3.

Question recurring on the amendment yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—89.

Mr. Speaker.	Mauritz.
Ackerman.	McDonald.
Adkins.	McGill.
Albritton.	Mehl.
Anderson.	Metcalfe.
Baldwin.	Morse.
Barnett.	O'Neill.
Bounds.	Palmer.
Brice.	Patterson.
Brooks.	Pavlica.
Carpenter.	Pope of Jones.
Chastain.	Purl.
Coltrin.	Quinn.
DeWolfe.	Ray.
Enderby.	Reader.
Ewing.	Reid.
Eickenroht.	Renfro.
Finlay.	Sanders.
Forbes.	Savage.
Gates.	Shaver.
Gerron.	Shelton.
Gilbert.	Sherrill.
Graves	Shipman.
of Williamson.	Simmons.
Harman.	Sinks.
Harper.	Snelgrove.
Harrison.	Speck.
Heaton.	Stephens.
Hefley.	Storey.
Holder.	Strong.
Hopkins.	Tarwater.
Johnson of Smith.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.
Keeton.	Waddell.
Keller.	Wallace.
Kennedy.	Westbrook.
Kincaid.	Wiggs.
King.	Williams
Kinnear.	of Sabine.
Land.	Williams
Long of Houston.	of Travis.
Long of Wichita.	Woodall.
Loy.	Woodruff.
Mankin.	Young.

Nays—19.

Acker.	Martin.
Beck.	McKean.
Cox of Limestone.	Mullally.
Duvall.	Murphy.
Hardy.	Negley.
Harding.	Nicholson.
Hubbard.	Pool.
Johnson	Prendergast.
of Dimmit.	Rogers.
Johnson of Scurry.	Thurmond.

Absent.

Baker.	Cox of Navarro.
Bateman.	Cox of Lamar.
Bradley.	Davis.
Conway.	Dunlap.

Finn.	McCombs.
Fuchs.	Montgomery.
Giles.	Moore.
Graves of Erath.	Mosely.
Hines.	Olsen.
Hogg.	Pope of Nueces.
Jenkins.	Richardson.
Kemble.	Rountree.
Kenyon.	Smith.
Lee.	Thompson.
Lemens.	Warwick.
Maynard.	White.

Absent—Excused.

Avis.	Stevenson.
Bond.	Walters.
Hornaday.	Webb.
Minor.	Williams
Petsch.	of Hardin.

Mr. Barnett moved that the House adjourn until 11:40 o'clock a. m. Wednesday, February 27, 1929, and the motion was lost.

Mr. Sinks moved the previous question on the passage of the bill, and the main question was ordered.

House bill No. 436 was then finally passed by the following vote:

Yeas—70.

Acker.	Lee.
Adkins.	Long of Houston.
Albritton.	Long of Wichita.
Anderson.	Loy.
Baldwin.	Mankin.
Beck.	Martin.
Brooks.	Maynard.
Carpenter.	McCombs.
Chastain.	McGill.
Cox of Navarro.	McKean.
DeWolfe.	Mehl.
Dunlap.	Montgomery.
Duvall.	Moore.
Finlay.	Mullally.
Gates.	Murphy.
Gerron.	Negley.
Hardy.	Nicholson.
Harding.	O'Neill.
Harrison.	Palmer.
Hefley.	Patterson.
Hopkins.	Pavlica.
Hornaday.	Pool.
Hubbard.	Purl.
Jenkins.	Reader.
Johnson of Smith.	Sanders.
Johnson of Scurry.	Savage.
Jones.	Shaver.
Justiss.	Shelton.
Kayton.	Sinks.
Keller.	Smith.
Kenyon.	Strong.
Kinnear.	Thurmond.
Land.	Tillotson.

Turner.
Van Zandt.
Warwick.

Westbrook.
Woodruff.

Nays—36.

Mr. Speaker.	Metcalf.
Ackerman.	Pope of Jones.
Barnett.	Prendergast.
Bounds.	Ray.
Coltrin.	Reid.
Cox of Limestone.	Renfro.
Enderby.	Richardson.
Ewing.	Rogers.
Forbes.	Shipman.
Gilbert.	Simmons.
Graves	Snelgrove.
of Williamson.	Stephens.
Harman.	Storey.
Harper.	Tarwater.
Johnson	Veatch.
of Dimmit.	Wallace.
Keeton.	Wiggs.
Kennedy.	Williams
Kincaid.	of Sabine.
King.	Young.

Present—Not Voting.

Quinn.	Woodall.
Sherrill.	

Absent.

Baker.	Kemble.
Bateman.	Lemens.
Bradley.	Mauritz.
Brice.	McDonald.
Conway.	Morse.
Cox of Lamar.	Mosely.
Davis.	Olsen.
Eickenroht.	Pope of Nueces.
Finn.	Rountree.
Fuchs.	Speck.
Giles.	Thompson.
Graves of Erath.	Waddell.
Heaton.	White.
Hines.	Williams
Hogg.	of Travis.
Holder.	

Absent—Excused.

Avis.	Walters.
Bond.	Webb.
Minor.	Williams
Petsch.	of Hardin.
Stevenson.	

Mr. Anderson moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

Reason for Vote.

I vote "yea" on passage of House bill No. 436 for the reason that as I understand the law it places movies

under the "Home Rule" act, under the supervision of the city councils or people of those cities and towns and before they can operate on the Sabbath they must get permission from them to do so. If the people of any section of the State want to attend movies on Sunday evening I do not think I should attempt to deprive them of this privilege because I do not attend them myself.

FINLAY.

SPECIAL ORDER SET.

On motion of Mr. Tillotson House bill No. 654 was set as a special order for 11 o'clock a. m. next Friday.

HOUSE BILL NO. 388 ON SECOND READING

Mr. Storey moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 388, A bill to be entitled "An Act to amend Articles 6012, 6014, 6015, 6029, 6030, 6032, 6033, 6035 and 6036, and to repeal Articles 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6013 6016, 6017 and 6031 of the Revised Civil Statutes, 1925, so as to remove conflicts from the conservation statutes, restore the penalties and more adequately provide for the conservation of oil and gas in the State of Texas; defining and prohibiting wastes thereof; authorizing the Railroad Commission of Texas to stop and prevent the waste of such oil and gas and to promote the conservation thereof, and to make and enforce rules, regulations and orders for such purposes."

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—70.

Acker.	Gerron.
Albritton.	Gilbert.
Anderson.	Hardy.
Bateman.	Harman.
Beck.	Harrison.
Brooks.	Heaton.
Carpenter.	Hopkins.
Chastain.	Hornaday.
Cox of Navarro.	Johnson
DeWolfe.	of Dimmit.
Dunlap.	Johnson of Smith.
Duvall.	Johnson of Scurry.
Ewing.	Jones.
Eickenroht.	Justiss.
Forbes.	Kayton.
Fuchs.	Keller.

Kennedy.
Kincaid.
King.
Kinnear.
Land.
Long of Houston.
Long of Wichita.
Mankin.
Martin.
McCombs.
McKean.
Mehl.
Mosely.
Negley.
Palmer.
Patterson.
Pavlica.
Ray.
Reader.
Renfro.

Richardson.
Rogers.
Rountree.
Sanders.
Savage.
Shaver.
Shelton.
Shipman.
Sinks.
Smith.
Snelgrove.
Speck.
Storey.
Strong.
Tarwater.
Tillotson.
Turner.
Wallace.
Woodruff.
Young.

Nays—34.

Baker.
Baldwin.
Barnett.
Bounds.
Brice.
Coltrin.
Conway.
Cox of Lamar.
Finlay.
Gates.
Harding.
Harper.
Hogg.
Hubbard.
Kenyon.
Lee.
Maynard.
Moore.
Mullally.

O'Neill.
Pope of Jones.
Pope of Nueces.
Quinn.
Reid.
Sherrill.
Simmons.
Stephens.
Thurmond.
Van Zandt.
Veatch.
Westbrook.
Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodall.

Present—Not Voting.

Adkins.

Cox of Limestone.

Absent.

Ackerman.	Mauritz.
Bond.	McDonald.
Bradley.	McGill.
Davis.	Metcalfe.
Enderby.	Montgomery.
Finn.	Morse.
Giles.	Nicholson.
Graves of Erath.	Olsen.
Hefley.	Pool.
Hines.	Prendergast.
Holder.	Purl.
Jenkins.	Thompson.
Keeton.	Waddell.
Kemble.	Warwick.
Lemens.	White.
Loy.	

Absent—Excused.

Avis.

Graves
of Williamson.

Minor.
Murphy.
Petsch.
Stevenson.

Walters.
Webb.
Williams
of Hardin.

The Speaker then laid the bill before the House and it was read second time.

Mr. Storey offered the following (committee) amendment to the bill:

Amend the bill by striking out all above and below the enacting clause and insert in lieu thereof, the following:

A bill to be entitled, "An Act to amend Articles 6014, 6030 and 6036 so as to remove conflicts from the conservation statutes, restore the penalties and more adequately provide for the conservation of oil and gas in the State of Texas; authorizing the Railroad Commission of Texas to stop and prevent the waste of such oil and gas and to promote the conservation thereof and to make and enforce rules, regulations and orders for such purposes; providing for the appointment of a Chief Supervisor, a Chief Deputy Supervisor and Deputy Supervisors, and fixing the qualifications and compensations of each, and authorizing the employment of all other necessary assistants; providing for the enforcement of the provisions hereof and to Title 102 of the Revised Civil Statutes of Texas of 1925, dealing with the conservation of oil and gas and the prevention of the waste thereof, and of the rules, regulations and orders of said commission made thereunder, and fixing a penalty for the violation thereof; defining terms; providing for notice, hearings and appeal; repealing all laws and parts of laws in conflict herewith; making this law cumulative of all laws of this State on the conservation of oil and gas; providing that the holding of any provision hereof void or unconstitutional shall not nullify the other parts; providing for the survival and saving of liability incurred prior to the repealing of any part of the Revised Civil Statutes of Texas hereby, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Where the words "Railroad Commission" or the word "commission" is used in this act it shall mean the Railroad Commission of Texas.

Sec. 2. That Article 6014 of the Revised Civil Statutes of 1925 be amended so as to hereafter read as follows:

Article 6014. Neither natural gas nor crude petroleum shall be produced, transported, stored, or used in such manner or under such conditions as to constitute waste; provided, however, this shall not be construed to mean economic waste. The term "waste" in addition to its ordinary meaning, shall include permitting (a) escape into the open air of natural gas except as may be necessary in the drilling or operation of a well; (b) drowning with water of any stratum capable of producing oil or gas or both oil and gas in paying quantities; (c) underground waste; (d) any natural gas well to wastefully burn; (e) the wasteful utilization of natural gas; (f) the creation of unnecessary fire hazards.

Sec. 3. That Article 6030, Revised Civil Statutes of 1925, be so amended as to hereafter read as follows:

Article 6030. The commission shall employ a chief supervisor of its oil and gas division to aid the commission in the enforcement of the provision of this act and all oil and gas conservation laws of Texas, and all rules, regulations and orders of said commission made thereunder. He shall also perform the duties placed upon the pipe line expert as set out in the pipe line statutes of this State. The commission may also appoint a chief deputy supervisor and such other deputy supervisors as may be necessary to assist in carrying out the provisions of this act and related statutes and shall employ such other assistances and clerical help as may be necessary for the same purpose. The salary of the chief supervisor shall be six thousand dollars (\$6,000.00) per annum, that of the chief deputy supervisor shall be five thousand dollars (\$5,000.00) per annum and that of the deputy supervisors shall be thirty-six hundred dollars (\$3,600.00) each per annum. In addition to any other qualifications that may be required by the commission, no one shall hereafter be appointed chief supervisor who has not had at least five years' experience in some line of the oil or gas business, or in some other business or profession calculated to fit him for the performance of his duties. No one shall hereafter be appointed as chief deputy supervisor who has not had at least three years' experience in oil and gas field work, and no one shall hereafter be appointed deputy supervisor who has not had at least two years' experience in oil and gas

field work, a substantial portion of which shall be in the drilling or production department. All salaries and other expenses of every kind and character necessary in the administration and enforcement of this act shall be paid out of the funds created in Chapter 30, Acts of 1917, being now Article 6032, Revised Civil Statutes of 1925, and in the manner therein provided. The chief supervisor, chief deputy supervisor and all deputy supervisors and all other employees shall perform the duties prescribed by the Railroad Commission and in conformity to the rules and regulations of the commission dealing with the production, transportation and conservation of crude oil and natural gas.

Sec. 4. That Article 6036, Revised Civil Statutes of 1925, be amended so as to hereafter read as follows:

Article 6036. In addition to any penalty that may be imposed by the commission for contempt for the violation of its orders, any person, firm, corporation, joint stock association, or any officer, agent or employee thereof, violating any of the provisions of this act or of Title 102 of the Revised Civil Statutes of 1925, or any of the rules, regulations or orders of said commission made in pursuance thereof, shall be subject to a penalty of not more than one thousand dollars (\$1,000.00) for each and every day of such violation, to be recovered in any court of competent jurisdiction in the county in which the violation occurs, such suit by direction of the commission to be instituted and conducted in the name of the State of Texas by the Attorney General of the State, or by the county or district attorney of the county in which the violation occurs. Such Attorney General by direction of said commission, shall also have the power to enforce the provisions of this act and those of Title 102 of the Revised Civil Statutes of Texas of 1925, and of all rules, regulations and orders promulgated by said commission thereunder, by suit for injunction brought in the name of the State of Texas in the county in which the property involved is located.

Sec. 5. No rule or regulation shall be adopted under the provisions of this act or under the provisions of Title 102 of the Revised Civil Statutes of Texas, 1925, dealing with the conservation of oil and gas and the prevention of waste thereof except after hearing upon at least ten days' notice given in the man-

ner and form prescribed by the commission.

Sec. 6. If any person, firm, corporation or other party at interest be dissatisfied with any rule, regulation or order adopted by the commission in pursuance of the provisions of this act such dissatisfied party may file a petition setting forth the particular cause of objections thereto in a court of competent jurisdiction in Travis county against the commission as defendant. Said action shall have precedence over all other causes on the docket of a different nature and shall be tried and determined as other civil cases in said court. Either party to said action may have the right of appeal; and said appeal shall at once be returnable to the appellate court and said action so appealed shall have precedence in said appellate court of all causes of a different character therein pending. If the court be in session at the time such right of action occurs the suit may be filed during such term and stand ready for trial after ten (10) days notice. In all trials under this section the burden of proof shall rest upon the plaintiff.

Sec. 7. This act shall be cumulative of all the laws of the State regulating the conservation of oil and gas not in direct conflict herewith, and not expressly repealed, but it shall repeal all laws and parts of laws in conflict with its provisions.

Sec. 8. If any of the provisions of this act shall be held unconstitutional or for any other reason shall be held void, such holding shall not have the effect to nullify the remaining parts hereof; but the parts not so held to be unconstitutional or void shall remain in full force and effect.

Sec. 9. Previous violations of any of the provisions of the Revised Civil Statutes of Texas of 1925 that are hereby repealed by which liability for a penalty under said statutes has accrued, shall not be annulled by the passage of this act, but suits for such liabilities and penalties shall be instituted and proceeded with in all respects as if such prior statute or part thereof, had not been repealed or altered, except that where the mode of procedure or matters of practice have been changed by this act, the procedure provided for herein shall be followed, so far as same is practicable.

Sec. 10. The fact that there were serious omissions in the recodification

of the conservation statutes creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three (3) several days and said rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Reid offered the following amendment to the (committee) amendment:

Amend substitute House bill No. 388 by striking out the words "six thousand dollars" and "five thousand dollars," in lines 24, 25 and 26, page 2, and inserting in lieu thereof the words "five thousand" and "four thousand dollars," respectively.

Question recurring on the amendment to the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—40.

Adkins.	Mullally.
Albritton.	Olsen.
Barnett.	Pavlica.
Chastain.	Pope of Jones.
Coltrin.	Pope of Nueces.
Conway.	Quinn.
Forbes.	Reid.
Gerron.	Renfro.
Gilbert.	Sanders.
Giles.	Savage.
Graves of Erath.	Shelton.
Hardy.	Sherrill.
Harper.	Simmons.
Heaton.	Sinks.
Holder.	Snelgrove.
Jenkins.	Thurmond.
Keeton.	Wallace.
Kennedy.	Woodall.
Kincaid.	Woodruff.
Mauritz.	Young.

Nays—65.

Acker.	Gates.
Ackerman.	Harding.
Baker.	Harman.
Baldwin.	Harrison.
Bond.	Hefley.
Bounds.	Hogg.
Brooks.	Hopkins.
Carpenter.	Hornaday.
Cox of Navarro.	Johnson of Smith.
Cox of Lamar.	Johnson of Scurry.
Cox of Limestone.	Jones.
Duvall.	Keller.
Enderby.	King.
Eickenroht.	Long of Wichita.
Finlay.	Loy.
Graves	Martin.
of Williamson.	Maynard.

McCombs.	Smith.
McKean.	Speck.
Mehl.	Stephens.
Metcalfe.	Storey.
Minor.	Strong.
Morse.	Tarwater.
Mosely.	Tillotson.
Negley.	Turner.
Palmer.	Van Zandt.
Patterson.	Veatch.
Purl.	Waddell.
Ray.	Warwick.
Reader.	Westbrook.
Richardson.	Wiggs.
Rountree.	Williams
Shaver.	of Travis.
Shipman.	

Present—Not Voting.

Beck.

Absent.

Anderson.	Land.
Bateman.	Lee.
Bradley.	Lemens.
Brice.	Long of Houston.
Davis.	Mankin.
DeWolfe.	McDonald.
Dunlap.	McGill.
Ewing.	Montgomery.
Finn.	Moore.
Fuchs.	Murphy.
Hines.	Nicholson.
Hubbard.	O'Neill.
Johnson	Pool.
of Dimmit.	Prendergast.
Justiss.	Rogers.
Kayton.	Thompson.
Kemble.	White.
Kenyon.	Williams
Kinnear.	of Sabine.

Absent—Excused.

Avis.	Webb.
Petsch.	Williams
Stevenson.	of Hardin.
Walters.	

Mr. Wallace offered the following amendment to the amendment:

Amend substitute House bill No. 388 by striking out the words and figures "six thousand dollars (\$6000)" and the words and figures "five thousand dollars (\$5000)" in lines 24, 25 and 26, page 2, and insert in lieu thereof the words and figures "five thousand dollars (\$5000)" and "three thousand six hundred dollars (\$3600)," respectively.

Mr. Pope of Nueces offered the following substitute for the amendment:

Amend substitute for House bill No. 388 by striking out the words "shall be" in lines 24, 26 and 27, page 2, and by adding in line 24, page 2, after the word "salary" the following, "of the chief

supervisor and of chief deputy supervisor and of the deputy supervisors shall be fixed by the Legislature in its appropriation bill for the Railroad Commission; provided, such salaries shall not exceed the following amounts."

The substitute amendment was adopted.

The amendment as substituted was then adopted.

The committee amendment was then adopted.

House bill No. 388 was then passed to engrossment by the following vote:

Yeas—90.

Acker.	Long of Houston.
Adkins.	Long of Wichita.
Baker.	Loy.
Baldwin.	Martin.
Bateman.	McGill.
Bounds.	McKean.
Chastain.	Metcalfe.
Coltrin.	Minor.
Conway.	Montgomery.
Cox of Navarro.	Moore.
DeWolfe.	Morse.
Dunlap.	Mosely.
Duvall.	Murphy.
Enderby.	Negley.
Ewing.	Olsen.
Eickenroht.	O'Neill.
Finn.	Patterson.
Finlay.	Pavlica.
Forbes.	Pope of Jones.
Fuchs.	Purl.
Gates.	Reader.
Giles.	Reid.
Graves	Renfro.
of Williamson.	Richardson.
Hardy.	Rogers.
Harding.	Savage.
Harman.	Shelton.
Harper.	Sherrill.
Harrison.	Shipman.
Heaton.	Sinks.
Hefley.	Smith.
Hines.	Speck.
Hogg.	Storey.
Hornaday.	Strong.
Hubbard.	Tarwater.
Jenkins.	Thurmond.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson of Smith.	Waddell.
Johnson of Scurry.	Westbrook.
Justiss.	Williams
Kayton.	of Sabine.
Keller.	Williams
Kemble.	of Travis.
Kenyon.	Woodall.
Land.	Woodruff.
Lemens.	

Nays—13.

Ackerman.	Holder.
Barnett.	Kennedy.
Brice.	Mullally.
Cox of Lamar.	Simmons.
Davis.	Snelgrove.
Gilbert.	Veatch.
Graves of Erath.	

Present—Not Voting.

Albritton.	Maynard.
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Absent.

Anderson.	Nicholson.
Beck.	Palmer.
Bond.	Petsch.
Bradley.	Pool.
Brooks.	Pope of Nueces.
Carpenter.	Prendergast.
Cox of Limestone.	Quinn.
Gerron.	Ray.
Hopkins.	Rountree.
Jones.	Sanders.
Keeton.	Shaver.
Kincaid.	Stephens.
King.	Stevenson.
Kinnear.	Thompson.
Lee.	Van Zandt.
Mankin.	Warwick.
Mauritz.	White.
McCombs.	Wiggs.
McDonald.	Young.
Mehl.	

Absent—Excused.

Avis.	Webb.
Wallace.	Williams
Walters.	of Hardin.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum until 4:30 o'clock p. m. today, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Purl, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

HOUSE BILL NO. 388 ON THIRD READING.

Mr. Storey moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 388 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Mr. Speaker.	Lemens.
Acker.	Long of Houston.
Adkins.	Long of Wichita.
Baker.	Loy.
Baldwin.	Martin.
Bateman.	Mauritz.
Bounds.	McGill.
Chastain.	McKean.
Coltrin.	Metcalf.
Conway.	Montgomery.
Cox of Navarro.	Moore.
DeWolfe.	Morse.
Duvall.	Mosely.
Enderby.	Murphy.
Ewing.	Nicholson.
Eickenroht.	Olsen.
Finn.	O'Neill.
Finlay.	Patterson.
Forbes.	Pavlica.
Fuchs.	Pool.
Gates.	Pope of Jones.
Giles.	Purl.
Graves	Reader.
of Williamson.	Reid.
Hardy.	Renfro.
Harding.	Richardson.
Harman.	Rogers.
Harper.	Savage.
Harrison.	Shelton.
Heaton.	Sherrill.
Hefley.	Shipman.
Hines.	Sinks.
Hogg.	Smith.
Holder.	Speck.
Hubbard.	Storey.
Jenkins.	Strong.
Johnson	Tarwater.
of Dimmit.	Thurmond.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Turner.
Justiss.	Veatch.
Kayton.	Waddell.
Keller.	Warwick.
Kemble.	Williams
Kennedy.	of Sabine.
Kenyon.	Williams
Kincaid.	of Travis.
Kinnear.	Woodall.
Land.	Woodruff.
Lee.	

Nays—9.

Barnett.	Graves of Erath.
Brice.	Mullally.
Cox of Lamar.	Simmons.
Davis.	Snelgrove.
Gilbert.	

Present—Not Voting.

Albritton.	Maynard.
Cox of Limestone.	

Absent.

Ackerman.	Negley.
Anderson.	Palmer.
Beck.	Petsch.
Bond.	Pope of Nueces.
Bradley.	Prendergast.
Brooks.	Quinn.
Carpenter.	Ray.
Dunlap.	Rountree.
Gerron.	Sanders.
Hopkins.	Shaver.
Hornaday.	Stephens.
Jones.	Stevenson.
Keeton.	Thompson.
King.	Van Zandt.
Mankin.	Westbrook.
McCombs.	White.
McDonald.	Wiggs.
Mehl.	Young.
Minor.	

Absent—Excused.

Avis.	Webb.
Wallace.	Williams
Walters.	of Hardin.

The Speaker then laid House bill No. 388 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Acker.	Hogg.
Adkins.	Hopkins.
Baldwin.	Hubbard.
Bateman.	Jenkins.
Bounds.	Johnson
Brooks.	of Dimmit.
Carpenter.	Johnson of Smith.
Chastain.	Johnson of Scurry.
Coltrin.	Justiss.
Conway.	Kayton.
Cox of Navarro.	Keller.
Cox of Limestone.	Kemble.
DeWolfe.	Kenyon.
Duvall.	Kincaid.
Enderby.	Kinnear.
Ewing.	Land.
Eickenroht.	Lee.
Finn.	Lemens.
Forbes.	Long of Houston.
Fuchs.	Long of Wichita.
Gates.	Loy.
Giles.	Martin.
Graves	Mauritz.
of Williamson.	Maynard.
Hardy.	McCombs.
Harding.	McGill.
Harman.	McKean.
Harper.	Metcalf.
Harrison.	Montgomery.
Heaton.	Moore.
Hefley.	Morse.
Hines.	Mosely.

Murphy.	Shipman.
Negley.	Sinks.
Nicholson.	Smith.
Olsen.	Speck.
O'Neill.	Stevenson.
Palmer.	Storey.
Patterson.	Strong.
Pavlica.	Tarwater.
Pope of Jones.	Thurmond.
Pope of Nueces.	Tillotson.
Purl.	Turner.
Quinn.	Warwick.
Ray.	Westbrook.
Reader.	Wiggs.
Reid.	Williams
Richardson.	of Sabine.
Rogers.	Williams
Sanders.	of Travis.
Shaver.	Woodall.
Shelton.	Woodruff.
Sherrill.	Young.

Nays—16.

Ackerman.	Graves of Erath.
Baker.	Holder.
Barnett.	Mullally.
Brice.	Savage.
Cox of Lamar.	Simmons.
Davis.	Snelgrove.
Finlay.	Veatch.
Gilbert.	Wallace.

Absent.

Albritton.	Mehl.
Anderson.	Minor.
Beck.	Petsch.
Bond.	Pool.
Bradley.	Prendergast.
Dunlap.	Renfro.
Jones.	Rountree.
Keeton.	Stephens.
Kennedy.	Thompson.
King.	Van Zandt.
Mankin.	Waddell.
McDonald.	White.

Absent—Excused.

Avis.	Webb.
Gerron.	Williams
Hornaday.	of Hardin.
Walters.	

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 220, to the Committee on Insurance.

Senate bill No. 504, to the Committee on Privileges, Suffrage and Elections.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 27, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills and resolution:

H. B. No. 17, A bill to be entitled "An Act to amend Article 2094, Article 2095, and Article 2096 of the Revised Statutes of 1925, relating to the selection of jurors, amending Article 2094 of the Revised Statutes, 1925, providing for the appointment of jury commissioners to select jurors in certain counties," with amendment.

H. B. No. 102, A bill to be entitled "An Act to repeal Chapter 160 of the Acts of the Fortieth Legislature, making it illegal for any person to take or trap by means of any snare, deadfall or steel trap any fur-bearing animal within the territorial limits of Cass county for a period of five years."

H. B. No. 118, A bill to be entitled "An Act to amend Article 880, Revised Criminal Statutes of 1925, as amended by Chapter 24 of the First Called Session of the Thirty-ninth Legislature, so as to make it unlawful to hunt wild deer with dogs in Hardin and Liberty counties," with amendment.

H. B. No. 146, A bill to be entitled "An Act validating certain defects in instruments pertaining to real estate after they have been of record for ten years or more, such defects validated being any defects in the execution, acknowledgment, recording or certificate of recording where not signed by proper officer of a corporation, where the seal of a corporation has not been impressed on instrument, where record does not show such seal or acknowledgment, where record does not show notary seal."

H. B. No. 251, A bill to be entitled "An Act to amend Article 941a of the Penal Code of Texas of 1925, so as to cover Dimmit, Zavala, Medina and Uvalde counties and permit the taking or catching of suckers, buffalo, carp, shad and gar at any time in any fresh water rivers, creeks or lakes in the counties of Burnet, Williamson and Lampasas, Dimmit, Zavala, Medina and Uvalde, with a seine or net with not less than a four-inch size mesh, and providing that catfish, crappie, perch, bass and other kind of fish, if any, caught in such seine or net shall be im-

mediately released in the waters where caught, and that the owner or one in possession of said seine or net shall, within five days from and after the using of same, make a report under oath to the Game, Fish and Oyster Commissioner, reporting the name of each and every person in the party and showing in said report that all fish not permitted to be caught or taken were released as aforesaid, and declaring an emergency."

H. B. No. 267. A bill to be entitled "An Act amending Article 941a of the Penal Code of Texas by striking out the counties of Erath and Hood, and declaring an emergency."

H. B. No. 335. A bill to be entitled "An Act to provide a more efficient road system for Montgomery county, Texas; providing that the county commissioners of said county shall be ex-officio road commissioners of their respective precincts; defining their compensation as such; providing for the exercise of the right of eminent domain in opening, widening and straightening the county roads and highways and in securing materials for the construction and maintenance of same, etc., and declaring an emergency."

H. B. No. 379. A bill to be entitled "An Act amending Title 49, Chapter 2, Section 11, of Article 2613, authorizing the Governor of the State of Texas to accept gifts of lands to the State to be held and administered as State forests, under the direction of the board of directors of the Agricultural and Mechanical College of Texas; providing that the conveyances of such property shall be upon such terms and conditions as may be agreed upon by the grantors of said property and the board of directors of the Agricultural and Mechanical College, to purchase lands to be used as State forests; providing that the form of all conveyances shall be submitted to the Attorney General for approval, and declaring an emergency."

H. B. No. 539. A bill to be entitled "An Act to authorize the commissioners court in each county having a population not less than ten thousand and fifteen and not more than ten thousand and forty to pay the sheriff of such county for summoning jurors in district or county courts serving all legal notices, notices to overseers of roads, and doing all other public business for which compensation is not otherwise provided for, not exceeding \$2500 per

annum, to be fixed by the commissioners court at the same time other ex-officio salaries are fixed."

H. B. No. 542. A bill to be entitled "An Act to amend Chapter 215, Article 879a, as passed by the Regular Session of the Fortieth Legislature, providing for the regulation of the season in which white-winged doves may be hunted and killed."

H. B. No. 421. A bill to be entitled "An Act providing a ten-year period of limitation for the bringing of suit to recover land based upon certain defects in any instrument, where such instrument which has been or hereafter may be of record for ten years or more."

H. B. No. 400. A bill to be entitled "An Act amending Title 54, Chapter 8, of the Revised Civil Statutes of 1925, by adding Article 3393a, so as to provide that the county judge shall have the power and authority to decrease the amount of the bond of an executor or administrator."

H. B. No. 580. A bill to be entitled "An Act to amend Chapter 14, Local and Special Laws enacted by the Thirty-fifth Legislature at its Third Called Session, in 1917, as amended by Chapter 65, Local and Special Laws enacted by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Trinity county, Texas, by adding thereto a new Section 33a, authorizing the commissioners court of Trinity county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof."

H. B. No. 589. A bill to be entitled "An Act creating and establishing Starr county water control and improvement district No. 1, in Starr county, Texas, under Section 59 of Article 16 of the Constitution of the State of Texas, for the purpose of the control, storing, preservation and distribution of its waters and flood waters, the waters of its streams and rivers, for irrigation, power and all other useful purposes, the reclamation and irrigation of its arid, semi-arid and other lands needing irrigation, the reclamation and drainage of its overflowed lands and other lands needing drainage, the conservation and development of its forest, water and hydro-electric power, and the preservation and conservation of all such natural resources of the district, and with the powers, authority, rights, privileges and functions conferred in this act and those provided and set out in

Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session and acts amendatory thereof now in force or which may hereafter be passed."

H. B. No. 609, A bill to be entitled "An Act fixing, in counties having a population of more than 100,000 and less than 150,000, and containing a city of more than 75,000 population, the compensation of and providing for the appointment of assistant county attorneys, and prescribing their qualifications, and providing for the appointment of a stenographer."

H. B. No. 646, A bill to be entitled "An Act to amend Section 23 of Article 2092 of the Revised Civil Statutes of Texas, 1925, relating to the absence, sickness or disqualification of any district judge in any court controlled by said article, and providing for the election of a special judge in such court, and providing the manner of such election."

H. B. No. 659, A bill to be entitled "An Act to amend Chapter 60 of the Acts of the General and Special Laws of the Fortieth Legislature, First Called Session, approved on June 6th, 1927, amending Section 2 of said chapter so as to provide that the district attorney of the Ninetieth Judicial District of Texas may employ in lieu of an assistant district attorney a stenographer, and fixing the salary of a stenographer, and providing that said act shall take effect from the date of its passage."

H. B. No. 670, A bill to be entitled "An Act creating a more efficient road system for Nueces county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts."

H. B. No. 672, A bill to be entitled "An Act to amend Chapter 21, Local and Special Laws enacted by the Thirty-eighth Legislature at its Regular Session in 1923, same being a special road law for Falls county, Texas, by adding thereto a new section, 3a, authorizing the commissioners court of Falls county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof."

H. B. No. 699, A bill to be entitled "An Act creating a more efficient road system for Robertson county, Texas; vesting the commissioners court with authority to lay out, drain, repair and maintain such system of roads and make contracts therefor."

H. B. No. 710, A bill to be entitled "An Act to amend Section 34.41.65 (so noted in the Revised Civil Statutes of Texas), Article 199, of Title 8, of the Revised Civil Statutes of Texas, changing the time of holding the terms of the district court of the Thirty-fourth Judicial District of Texas, and permitting the continuing of the terms of court in Hudspeth and Culberson counties by the court."

H. B. No. 664, A bill to be entitled "An Act providing that in counties of not less than 34,700 and not more than 35,000 inhabitants, according to the 1920 Federal census, and having a tax valuation of not less than \$8,800,000 and not more than \$8,900,000, according to the approved tax rolls of 1928, the commissioners court may appoint a county auditor; and providing that said commissioners court shall have the power of removing said auditor so appointed," with amendment.

H. B. No. 679, A bill to be entitled "An Act to amend Title 7, Article 190a, of the Revised Civil Statutes of the State of Texas, 1925, so as to add certain counties."

H. B. No. 712, A bill to be entitled "An Act to exempt male persons residing in Fayette county, Texas, from road duty by paying to the county tax collector of said county the sum of three dollars annually."

Has postponed indefinitely:

H. B. No. 641, A bill to be entitled "An Act creating a more efficient road system for Motley county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government."

Has passed finally:

H. B. No. 563, A bill to be entitled "An Act amending Article 923pp by providing that it shall be lawful to kill, take and have in possession any furbearing animal except a fox within Limestone county during the open sea-

son, and providing that it shall be legal to kill, take and have in possession within Limestone county rabbits at any time."

H. B. No. 649, A bill to be entitled "An Act creating a more efficient road system for Delta county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court."

Has passed:

S. C. R. No. 34, Requesting the House to return House bill No. 686 to the Senate for further consideration.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

ADJOURNMENT.

On motion of Mr. DeWolfe, the House, at 2:25 o'clock p. m., adjourned until 2:26 o'clock p. m. today.

APPENDIX.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 27, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 247, A bill to be entitled "An Act making it a felony for any sheriff, constable, deputy constable, deputy sheriff, justice of the peace, chief of police, policeman, or other peace officer, to demand, receive or collect the whole or any part of the fine or costs in any misdemeanor case until after the affidavit or information has been filed and judgment of conviction rendered in such case, and prescribing the punishment therefor, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 489, A bill to be entitled "An Act to clarify and make adequate the law regulating water control and improvement districts, and to cause the same to comport with Section 59 of Article 16 of the Constitution of Texas,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, Vice-Chairman.

Committee Room,

Austin, Texas, February 27, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 117, A bill to be entitled "An Act regulating the season for taking fur-bearing animals, and regulating the taking of and traffic in hides and skins taken from fur-bearing animals, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

DeWOLFE, Vice-Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 222, "An Act to amend Article 324 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 23 of the General Laws of the Regular Session of the Fortieth Legislature of Texas, passed and approved February 12, 1927, relating to the appointment of assistant district attorneys in judicial districts consisting of more than one county in which there is situated a city of twenty-eight thousand population or over, according to the last preceding United States census or any United States census which may hereafter be taken, so as to provide for the appointment of assistant district attorneys in such judicial districts in which there is situated a city of twenty-two thousand five hundred population or over, according to the 1920 United States census or in such judicial districts in which there is situated a city of twenty-eight thousand population or over, according to any United States census which may hereafter be taken; and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 26, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. H. No. 153, "An Act authorizing the creation of corporations for the purpose of compiling and/or acquiring and owning abstract plants in this or any other State, and to compile and sell abstracts of titles therefrom and to insure the title to lands and interests therein and liens thereon, and authorizing such corporations to accumulate and lend money, to deal in securities, and to act as trustee, receiver, executor, administrator and guardian; regulating the amount of paid-in capital of all corporations operating under this act; requiring all corporations created or permitted to do business under this act and those created under subdivision 57, Article 1302, and Chapter 18, Title 78, of the Revised Statutes of 1925, and all other corporations insofar as the business of either comes within the purposes named above to operate under the control of and subject to regulations as to forms of policies and prices prescribed by the Board of Insurance Commissioners; permitting foreign corporations to do business in Texas, and providing for the forfeiture of such right; requiring a deposit of cash or securities; providing for filing fees and franchise taxes, and the filing of charters and amendments thereto; providing for the issuance of certificates of authority to do business; requiring a reserve and the maintenance intact of the capital stock; giving the Board of Insurance Commissioners exclusive control over corporations doing business hereunder; requiring annual statements from and providing for examinations of such corporations; regulating their names; regulating the granting of permits to foreign corporations and requiring powers of attorney for them; permitting foreign title insurance companies to loan funds in this State without securing authority to write title insurance; prohibiting commissions, rebates and discounts by corporations doing business under this act; fixing filing fees and occupation taxes of foreign corporations doing business under this act; prohibiting the further chartering of corporations under subdivision 57, Article 1302, Revised Statutes of 1925, and declaring

that Article 1344, Revised Statutes of 1925, shall not apply to corporations hereunder; making the terms and provisions of this act conditions the violation of which to be cause for the revocation of the permit and forfeiture of the charters of domestic corporations and the permits of foreign corporations; and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

THIRTY-FOURTH DAY.

(Wednesday, February 27, 1929.)

The House met at 2:26 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Heaton.
Acker.	Hefley.
Ackerman.	Hines.
Adkins.	Hogg.
Albritton.	Holder.
Anderson.	Hopkins.
Baker.	Hornaday.
Baldwin.	Hubbard.
Barnett.	Jenkins.
Bateman.	Johnson
Bounds.	of Dimmit.
Brice.	Johnson of Smith.
Brooks.	Johnson of Scurry.
Carpenter.	Jones.
Chastain.	Justiss.
Coltrin.	Kayton.
Conway.	Keller.
Cox of Navarro.	Kemble.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Kenyon.
Davis.	Kincaid.
DeWolfe.	King.
Dunlap.	Kinnear.
Duvall.	Land.
Enderby.	Lee.
Ewing.	Lemens.
Eickenroht.	Long of Houston.
Finn.	Long of Wichita.
Finlay.	Loy.
Forbes.	Martin.
Fuchs.	Mauritz.
Gates.	Maynard.
Gilbert.	McCombs.
Giles.	McGill.
Graves	McKean.
of Williamson.	Metcalfe.
Graves of Erath.	Montgomery.
Hardy.	Moore.
Harding.	Morse.
Harman.	Mosely.
Harper.	Mullally.
Harrison.	Murphy.